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10/519,367	07/14/2005	Andreas J. Fuchs	2002P09631WOUS	4780

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Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

EXAMINER
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SAMUEL, DEWANDA A

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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01/16/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/519,367

Applicant(s)

FUCHS ET AL.

Examiner

DeWanda Samuel

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 July 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 8-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 8-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 112***

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

**With regard to claims 8,19 and 22**, the term "a specimen", is unclear and the Examiner relied on the broadest interpretation during examining . Appropriate corrections required.

**With regard to claims 9-18,20-21,23 and 24**, they are rejected because they include the limitations of the rejected independent claims above.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. **Claims 8-24** are rejected under 35 U.S.C. 102(b) as being anticipated by Katseff et al. ( US 6,233,249).

**With regard to claim 8,** Katseff et al. discloses having a *method for remote-controlled testing of a specimen, comprising: providing data at a control unit and at the specimen in a format that corresponds to a transmission protocol used for an unsecured transmission of the data*; Katseff et al. discloses having a methods and apparatus for providing improved quality of packet transmission in applications such as Internet telephony ( title). Katseff et al. further discloses having a first host node 22 (" control unit") communicating with a first network communication node 24 ("specimen") using UDP ( "transmission protocol used for an unsecured transmission of the data", column 3 line 24-31).

*converting the data present in the format corresponding to the transmission protocol used for the unsecured transmission of the data into a format corresponding to a transmission protocol used for a secured transmission of data*; ( column 4 line 33-67).

*transmitting the data according to the transmission protocol used for the secured transmission of data; and converting back the data, prior to reception, to a format corresponding to the transmission protocol used for the unsecured transmission of data.* (column 4 line 26-67).

**With regard to claim 9,** Katseff et al. teaches the method recited in claim 8. *wherein the User Datagram Protocol (UDP) is provided as the transmission protocol used for the unsecured transmission of data, wherein the Transmission Control*

*Protocol (TCP) is provided as the transmission protocol used for the secured transmission of data, wherein the data which, when transmitted, is present in a format corresponding to the User Datagram Protocol (UDP) is converted to a format corresponding to the Transmission Control Protocol (TCP), wherein the data is transmitted according to the Transmission Control Protocol (TCP), and wherein the data is converted back, prior to reception, to a format corresponding to the User Datagram Protocol (UDP).* (column 4 line 26-67).

**With regard to claim 10,** Katseff et al. teaches the method recited in claim 8. *wherein the User Datagram Protocol (UDP) is provided as the transmission protocol used for the unsecured transmission of data,* ( column 3 line 49-67).

*and wherein the Transmission Control Protocol (TCP) is provided as the transmission protocol used for the secured transmission of data.* ( column 4 line 1-15).

**With regard to claim 11,** Katseff et al. teaches the method recited in claim 8. *wherein conversion from the unsecured to the secured transmission of data and vice versa takes place in a traffic reliabler device (TRD).* Katseff et al. discloses having a TCP/UDP converter 48 and 52 ( "traffic reliabler device", fig 2 and column 4 line 38-41).

**With regard to claim 12,** Katseff et al. teaches the method recited in claim 9.

*wherein conversion from the unsecured to the secured transmission of data and vice versa takes place in a traffic reliabler device (TRD). Katseff et al. discloses having a TCP/UDP converter 48 and 52 ( "traffic reliabler device", fig 2 and column 4 line 38-41).*

**With regard to claim 13,** Katseff et al. teaches the method recited in claim 10. *wherein conversion from the unsecured to the secured transmission of data and vice versa takes place in a traffic reliabler device (TRD). Katseff et al. discloses having a TCP/UDP converter 48 and 52 ( "traffic reliabler device", fig 2 and column 4 line 38-41).*

**With regard to claim 14,** Katseff et al. teaches the method recited in claim 9. *wherein data which is present in the User Datagram Protocol (UDP) is packed into a data packet according to the Transmission Control Protocol (TCP).*

**With regard to claim 15,** Katseff et al. teaches the method recited in claim 10. *wherein data which is present in the User Datagram Protocol (UDP) is packed into a data packet according to the Transmission Control Protocol (TCP). Katseff et al. discloses the UDP/TCP protocol converter 62 receives data packets in TCP format 9 column 4 line 66-67)... the UDP header information is added to the packets 9 column 5 line 1-13).*

**With regard to claim 16,** Katseff et al. teaches the method recited in claim 11. *wherein data which is present in the User Datagram Protocol (UDP) is packed into a data packet according to the Transmission Control Protocol (TCP).* Katseff et al. discloses the UDP/TCP protocol converter 62 receives data packets in TCP format 9 column 4 line 66-67)... the UDP header information is added to the packets 9 column 5 line 1-13).

**With regard to claim 17** Katseff et al. teaches the method recited in claim 12. *wherein data which is present in the User Datagram Protocol (UDP) is packed into a data packet according to the Transmission Control Protocol (TCP).* Katseff et al. discloses the UDP/TCP protocol converter 62 receives data packets in TCP format 9 column 4 line 66-67)... the UDP header information is added to the packets 9 column 5 line 1-13).

**With regard to claim 18,** Katseff et al. teaches the method recited in claim 13. *wherein data which is present in the User Datagram Protocol (UDP) is packed into a data packet according to the Transmission Control Protocol (TCP).* Katseff et al. discloses the UDP/TCP protocol converter 62 receives data packets in TCP format 9 column 4 line 66-67)... the UDP header information is added to the packets 9 column 5 line 1-13).

**With regard to claim 19**, Katseff et al. discloses having an *arrangement for performing a method for remote- controlled testing of a specimen, the method comprising: providing data at a control unit and at the specimen in a format that corresponds to a transmission protocol used for an unsecured transmission of the data*; Katseff et al. discloses having a methods and apparatus for providing improved quality of packet transmission in applications such as Internet telephony ( title). Katseff et al. further discloses having a first host node 22 (" control unit") communicating with a first network communication node 24 ("specimen") using UDP ( "transmission protocol used for an unsecured transmission of the data", column 3 line 24-31).

*converting the data present in the format corresponding to the transmission protocol used for the unsecured transmission of the data into a format corresponding to a transmission protocol used for a secured transmission of data; ( column 4 line 33-67)*

*transmitting the data according to the transmission protocol used for the secured transmission of data; and converting back the data, prior to reception, to a format corresponding to the transmission protocol used for the unsecured transmission of data, (column 4 line 26-67).*



*and wherein the arrangement comprising: two modules, arranged between the control unit and specimen, for converting the data from a format corresponding to the transmission protocol used for the unsecured transmission of data to a format corresponding to a transmission protocol used for the secured transmission of data, and vice versa; Katseff et al. discloses having TCP/UDP converters ("two modules") between a client computer ("specimen") and remote computer ("control unit") and the TCP/UDP converter converts the UDP packet ("unsecured transmission") to a TCP packet ("secured transmission", column 4 line 38-40).*

*and a data transmission line for transmitting data according to the transmission protocol used for the secured transmission of data, wherein the data transmission line is arranged between two modules. Katseff et al. discloses having a high bandwidth connection 49 ("transmission line") arranged between TCP/UDP converters ("two modules", fig 2 and column 4 line 20-32).*

**With regard to claim 20,** Katseff et al. teaches the arrangement according to claim 19. *wherein the modules are traffic reliabler devices (TRD), wherein two traffic reliabler devices (TRD) are arranged between the control unit and the specimen, and wherein a data transmission line for transmitting data according to the Transmission Control Protocol (TCP) is arranged between the two traffic reliabler devices (TRD). (column 4 line 20-44 and fig. 2).*

**With regard to claim 21**, Katseff et al. teaches the arrangement according to claim 20. *wherein a traffic reliabler device (TRD) is arranged directly at the site of the control unit and a further traffic reliabler device (TRD) is arranged directly at the site of the specimen. ( fig.2)*

**With regard to claim 22**, Katseff et al. discloses having an arrangement for performing a method for remote-controlled testing of a specimen, comprising: a control unit for sending data to the specimen; two modules, arranged between the control unit and the specimen, for converting the data from a format corresponding to the transmission protocol used for the unsecured transmission of data to a format corresponding to a transmission protocol used for the secured transmission of data, and vice versa; Katseff et al. discloses having TCP/UDP converters ("two modules") between a client computer ("specimen") and remote computer ("control unit") and the TCP/UDP converter converts the UDP packet ("unsecured transmission") to a TCP packet ("secured transmission", column 4 line 38-40).

*and a data transmission line for transmitting data according to the transmission protocol used for the secured transmission of data, wherein the data transmission line is arranged between two modules.* Katseff et al. discloses having a high bandwidth connection 49 ("transmission line") arrange between TCP/UDP converters ("two modules", fig 2 and column 4 line 20-32).

**With regard to claim 23,** Katseff et al. teaches the arrangement recited in claim 22. *(new) The arrangement according to claim 22, wherein the modules are traffic reliabler devices (TRD), wherein two traffic reliabler devices (TRD) are arranged between the control unit and the specimen, and wherein a data transmission line for transmitting data according to the Transmission Control Protocol (TCP) is arranged between the two traffic reliabler devices (TRD).* ( column 4 line 20-44 and fig. 2).

**With regard to claim 24,** Katseff et al. teaches the arrangement recited in claim 23. *wherein a traffic reliabler device (TRD) is arranged directly at the site of the control unit and a further traffic reliabler device (TRD) is ar ranged directly at the site of the specimen..* ( fig.2)

#### ***Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kshirsagar et al. ( US Patent 6,016,319) discloses having a communications system for transmission of datagram packets over connection-oriented networks.

Karol et al. ( US Patent 6,628,617) discloses having technique for interworking traffic on connectionless and connection-oriented networks.

White et al. (US Patent 6,912,231) multi-broadcast bandwidth control system.

Katseff et al. (US Patent 6,320,875) discloses having methods and apparatus for providing improved quality of packet transmission in applications such as Internet Telephony.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DeWanda Samuel whose telephone number is (571) 270-1213. The examiner can normally be reached on Monday- Thursday 8:30-5:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Q. Ngo can be reached on (571) 272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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1/5/2008



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